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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,246	11/26/2003	Jae Hoon Ha	K-0573	6118

  

34610	7590	06/29/2007
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EXAMINER	
STINSON, FRANKIE L	

  

ART UNIT	PAPER NUMBER
1746	

  

MAIL DATE	DELIVERY MODE
06/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/721,246

Applicant(s)

HA, JAE HOON

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40-44 is/are allowed.
- 6) ☒ Claim(s) 1-6, 20-24 and 39 is/are rejected.
- 7) ☒ Claim(s) 7-19 and 26-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 1746

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-6, 20-23 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Germany'673 (Germany 36 04 673) in view of either Yokota et al. (U. S. Pat. No. 6,135,142) or Brust (U. S. Pat. No. 4,249,565).

Re claims 1, 5, 20, 24 and 39, Germany'673 is cited disclosing a dishwasher comprising:

a housing (typical);

a tub (typical) provided in the housing;

an injector assembly (no shown) configured to inject water onto tableware positioned in the tub; and

an inlet valve assembly (5, 6) comprising:

a case provided at an inlet supply passage that supplies water to the tub, wherein the case comprises an inlet opening through which water flows into the case, and an outlet opening through which water is discharged from the case and

a valve that configured to selectively open and close the outlet formed in the case based on an amount of water accumulated in the housing (as at 19, 22) that differs from the claims only in the recitation of the first valve provided in the case and configured to selectively open and close a passage formed in the case; and a second valve provided in the case and configured to close the passage when a leak is detected. Yokota (col. 11, lines 11-33 and col. 14, lines 34-43) and Brust (see fig. 3)

Art Unit: 1746

are each cited disclosing the first and second valves with the second valve being configured to close when a leak is detected. It therefore would have been obvious to one having ordinary skill in the art to modify the inlet valve assembly in Germany'673, to include a case as taught by either Brust or Yokota, since given the corresponding structure, the same is considered to be a mere substitution of equivalent mechanical expedients. Re claims 3, 4, 22 and 23, Germany'673 discloses the selectively opening and claimed as claimed, as proposedly modified.

3. Claims 2 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1, 20 and 39 above, and further in view of either UK'645 (United Kingdom 2 166 645) or EPO'245 (European Patent Office 0 333 245).

Claims 2 and 24 define over the applied prior art only in the recitation of the case being located at the lower portion of a rear panel. UK'645 and EPO'245 are each cited disclosing the case at the rear panel as claimed. It therefore would have been obvious to one having ordinary skill in the art to relocate the case in the applied prior art to be as taught by either UK'645 or EPO'245, since the same is deemed to be a rearrangement of parts, absent any new or unobvious results (MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS ).

4. Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1, 20 and 39 above, and further in view of Polverari et al. (U. S. Pat. No. 6,003,536).

Art Unit: 1746

Claims 6 and 25 define over the applied prior art only in the recitation of the diaphragm valve as claimed. Polverari discloses the valve as claimed. It therefore would have been obvious to one having ordinary skill in the art to substitute for the valve in the applied prior art, a diaphragm valve as taught by Polverari, since the same is deemed to be a substitution of equivalents, absent any new or unobvious results (MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS ).

5. Claims 7-19 and 25-39 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 40-44 stand allowed.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Hewitt et al., Fornassari, UK'934, EPO'263, Germany'349, Germany'639, Lehman, Olivas, Newman et al., Dwyer Jr.s, France'249 and Wodeslavsky et al., note the control means.

8. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

Art Unit: 1746

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON  
Primary Examiner  
GROUP ART UNIT 1746